

Issued: February 28, 2017

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING  
MONDAY, FEBRUARY 6, 2017  
LEGISLATIVE CHAMBER, ROOM 314  
TOWN HALL, WEST HARTFORD, CT 06107**

**MINUTES**

**ATTENDANCE:** Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioners: James Akin; John O'Donnell, Michele Maresca; Alternate: Gordon Binkhorst, Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

**ABSENT:** Alternates: Mishone Donelson; Liz Gillette

**CALL TO ORDER/ROLL CALL: 7:00 P.M.**

**MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.**

**MINUTES:**

1. Approval of Minutes:
  - a. Minutes of the Regular Meeting, Wednesday, January 4, 2017  
*Motion/Prestage; Second/Maresca; Vote 4-0; Voting: Ahern, Prestage, Maresca, Binkhorst*

**COMMUNICATIONS:**

2. **North Main Street Bridge Rehabilitation** – Application (IWW#1020)  
Communication from Duane Martin, Town Engineer, requesting a modification to the Inland Wetlands and Watercourses permit #1020, which was approved January 5, 2015, to include a seat wall in the new patio area. The construction of the patio area was included in the approved permit.

After a detailed review of the application and consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Maresca; Second/O'Donnell) to find the proposed modifications consistent with the original IWW Permit #1020.

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3. **TPZ / IWWA 2016 Annual Report** – Communication from the TPZ/IWWA on the Draft 2016 Annual Report of activities of the Commission/Agency to the Town Council.  
*Motion to receive and forward to the Town Council. Motion/Prestage; Second/O'Donnell; Vote 5-0.*

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4. **1344 New Britain Avenue Subdivision #297 Filing Extension Request-** Pursuant to Subdivision Regulations Chapter A184-34, letter from Brandon Handfield, P.E., on behalf of NB Asset Management, LLC, requesting a second and final 90-day extension for the approved subdivision #297. The subdivision was approved by the Town Plan and Zoning Commission on August 1, 2016.

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/Maresca; Second/O'Donnell) to **APPROVE** the requested extension of time request. Please note that this is the third and final extension of time to file the final map for the subdivision. Failure to file the final map by **April 28, 2017** will result in the subdivision approval becoming null and void.

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#### **NEW BUSINESS:**

5. **180 Wood Pond Road-** Application (IWW #1058) of Penfield Jarvis, Trustee, R.O. (James A. Thompson, Engineer) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on February 6, 2017. Suggest required public hearing be scheduled for March 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Prestage, Second/O'Donnell) to schedule this matter for a public hearing on March 6, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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6. **180 Wood Pond Road-** Application (IWW #1059) of Penfield Jarvis, Trustee, R.O. (James A. Thompson, Engineer) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse. The application proposes the demolition of the existing home and construction of new home with an approximately 3,878 s.f. footprint and associated site improvements including expanded driveway and patio areas. The entire parcel lies within the 150' upland review area. (Submitted for IWWA receipt on February 6, 2017. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage, Second/O'Donnell to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on March 6, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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7. **660 Mountain Road**- Application (IWW #1060) of Gledhill Nursery, Inc, Record Owner, (Kevin Solli, P.E.) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on February 6, 2017. Suggest required public hearing be scheduled for March 6, 2017.)

***Required public hearing scheduled for a Special Meeting on March 22, 2017. Motion/O'Donnell; Second/Maresca; Vote 5-0.***

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/O'Donnell, Second/Maresca) to schedule this matter for a **Special Meeting on March 22, 2017** at 7:00 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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8. **660 Mountain Road**- Application (IWW #1061) of Gledhill Nursery, Inc, Record Owner, (Kevin Solli, P.E.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area (the Hart Meadow Brook). The application proposes the redevelopment of the exiting nursery including the demolition of the nursery building and the construction of fifteen new residential dwelling units and associated site improvements. The existing single-family residential dwelling is to remain for a total of sixteen residential units. (Submitted for IWWA receipt on February 6, 2017. Presented for determination of significance.)

***Determined to be potentially significant and set for a Special Meeting on March 22, 2017. Motion/O'Donnell; Second/Maresca; Vote 5-0.***

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/O'Donnell, Second/Maresca), to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and schedule this matter for a **Special Meeting on March 22, 2017** at 7:00 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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9. **660 Mountain Road**- Application (SUP #1299) of Gledhill Nursery, Inc, Record Owner, (Kevin Solli, P.E.) requesting Special Use Permit approval for an open-space development. The application proposes the redevelopment of the exiting

nursery including the demolition of the nursery building and the construction of fifteen new residential dwelling units and associated site improvements. The existing single-family residential dwelling is to remain for a total of sixteen residential units. (Submitted for TPZ receipt on February 6, 2017. Suggest required public hearing be scheduled for March 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell, Second/Maresca) to schedule this matter for a **Special Meeting on March 22, 2017** at 7:00 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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10. **1700 Asylum Avenue-** Application (SUP #1062-R5-17) of Town of West Hartford, Department of Leisure Services, on behalf of University of Connecticut (R.O.) requesting approval to amend Special Use Permit #1062, which was approved on May 2, 2016, by remove the requirement for pathway lighting from the major league field to Asylum Avenue. (Submitted for TPZ receipt on February 6, 2017. Suggest required public hearing be scheduled for March 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell, Second/Prestage), to schedule this for a public hearing on March 6, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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11. **110 Beechwood Road** – Application (SUP #1229-R2-17) of West Hartford Public Schools & Conard and Hall Unite for Light (Helen Rubino-Turco, Director of Leisure Services, Town of West Hartford) requesting TPZ review pursuant to Section 177-42A(8) of the West Hartford Code of Ordinances of the conditions of SUP #1229 approved on March 4, 2013 for the installation of permanent athletic field lighting at Conard High School McKee Stadium Field. (Submitted for TPZ receipt on February 6, 2017. Suggest required public hearing be scheduled for March 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell, Second/Maresca), to schedule this matter for a public hearing on March 6, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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12. **975 North Main Street** – Application (SUP #1230-R3-17) of West Hartford Public Schools & Conard and Hall Unite for Light (Helen Rubino-Turco, Director of Leisure Services, Town of West Hartford) requesting TPZ review pursuant to Section 177-42A(8) of the West Hartford Code of Ordinances of the conditions of SUP #1230

approved on March 4, 2013 for the installation of permanent athletic field lighting at Hall High School Chalmers Stadium Field. (Submitted for TPZ receipt on February 6, 2017. Suggest required public hearing be scheduled for March 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Maresca, Second/O'Donnell), to schedule this matter for a public hearing on March 6, 2017 at 7:00 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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### **OLD BUSINESS:**

13. **Trout Brook Drive – Multi-Use Trail (Phase 5)** Application (IWW #1056) of the Town of West Hartford (Duane Martin, Town Engineer) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The Town proposes the construction of an asphalt multi-use trail. The trail will be adjacent to Trout Brook, on the west side of Trout Brook Drive, between Farmington Avenue and Fern Street. (Submitted for IWWA receipt on February 6, 2017 and scheduled directly for public hearing)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/ Prestage; Second/O'Donnell) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

#### **TROUT BROOK DRIVE (PHASE 5)** **INLAND WETLAND APPLICATION IWW #1056** **COMPLIANCE WITH SECTION 10.2 and 10.4** **STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **Trout Brook Drive** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1056** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **Trout Brook Drive**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.

- 3.) Tree replacement will be not less than that shown on the approved plans. Consistent with the Applicant's testimony during the hearing, additional tree planting will occur in areas determined feasible.
- 4.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

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14. **Trout Brook Drive – Multi-Use Trail (Phase 6)** Application (IWW #1057) of the Town of West Hartford (Duane Martin, Town Engineer) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The Town proposes the construction of an asphalt multi-use trail. The trail will be adjacent to Trout Brook, on the west side of Trout Brook Drive, between Fern Street and Duffield Drive. (Submitted for IWWA receipt on February 6, 2017 and scheduled directly for public hearing)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/ Prestage; Second/O'Donnell) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**TROUT BROOK DRIVE (PHASE 6)**  
**INLAND WETLAND APPLICATION IWW #1057**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **Trout Brook Drive** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1056** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **Trout Brook Drive**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- 3.) Tree replacement will be not less than that shown on the approved plans. Consistent with the Applicant's testimony during the hearing, additional tree planting will occur in areas determined feasible.



- 4.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

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15. **351 Whitman Avenue-** Application (IWW #1052) of the Town of West Hartford (Duane Martin, Town Engineer) (Town of West Hartford, R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse. The Town proposes to install storm drainage improvements that would eliminate roadway flooding in Wells Road and improve the quality of the storm water entering the wetland regulated area. (Submitted for IWWA receipt on January 4, 2017. Determined to be potentially significant and public hearing scheduled on February 6, 2017. )

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **majority vote (5-0) (Motion/Maresca, Second/O'Donnell)** to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**351 WHITMAN AVENUE**  
**INLAND WETLAND APPLICATION IWW #1052**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **351 Whitman Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1052** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **351 Whitman Avenue**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- 3.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

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16. **132 Montclair Drive**- Application (IWW #1054) of Bronwyn and Freddy Rolan, Jr., R.O.'s (Linda Howley, Architect) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on January 4, 2017. Required public hearing scheduled for February 6, 2017.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Maresca) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. **The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.**
2. **A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.**

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17. **132 Montclair Drive**- Application (IWW #1055) of Bronwyn and Freddy Rolan, Jr., R.O.'s (Linda Howley, Architect) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse. The applicant is proposing to demolish the existing garage and construct a new garage and an addition and decking to the rear of the house. The proposed activities will be approximately 100 ft. from the regulated area. (Submitted for IWWA receipt on January 4, 2017. Determined to be potentially significant and set for public hearing on February 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by unanimous vote (5-0) (Motion/O'Donnell; Second/Akin) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**132 MONTCLAIR DRIVE**  
**INLAND WETLAND APPLICATION IWW #1055**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **132 Montclair Drive** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1055** should be

approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **132 Montclair Drive**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- 3.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

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18. **76 Lasalle Road**- Application (SUP #1298) of Lasalle Road Partners, LLC, record owner (Mission Escape Games Connecticut, Inc., David Chen) requesting Special Use Permit approval to open an indoor amusement facility that fosters communication, leadership, and problem solving skills in a group setting. (Submitted for TPZ receipt on January 4, 2017. Required public hearing scheduled for February 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (*Motion/Prestage; Second/Binkhorst*) to APPROVE this application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
  - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
  - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
  - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by February 2019 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

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#### **TOWN COUNCIL REFERRALS:**

19. **South Street and Southwood Drive**- Resolution Approving the Sale of Land at the Intersection of South Street and Southwood Drive. (Town Council Receipt on January 10, 2017. Town Council public hearing scheduled for February 14, 2017. TPZ receipt on February 6, 2017.)

After a detailed review of the application, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Akin) to **RECOMMEND APPROVAL** of the subject resolution.

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20. **Ordinance redefining "Kennel" in the West Hartford Code of Ordinances 177-2**- (Town Council Receipt on January 24, 2017. Town Council public hearing scheduled for February 28, 2017. TPZ receipt on February 6, 2017.)

After a detailed review of the proposed ordinance amendment and after consideration of staff technical comments, the TPZ acted on a motion for the subject application (Motion/O'Donnell; Second/Prestage) **The motion to approve failed by unanimous vote (0-5).**

During its discussion and deliberation on this matter, the Commission made the following findings which it has prepared for the Council's consideration:

1. The Commission finds that the as-of-right increase in keeping of dogs from two to three increases the potential for town-wide negative impacts associated with ownership of multiple dogs per dwelling unit, particularly in small lot single-family and multifamily residential zoning districts.
2. The Commission notes that the existing Special Use Permit Process allows for the keeping of more than two dogs upon completion of a public hearing and a finding that the "nature and intensity" of the use, "the size of the lot in relation to it" are in harmony with the appropriate and orderly development of the district.
3. The Commission finds that the Plan of Conservation and Development ("POCD") promotes the "Protect[ing] and enhance[ing] the quality of West Hartford's well-established residential neighborhoods" though the "diligent use of Zoning Regulations and Code Enforcement." and believes that these controls are already in place through the Special Use Permit application process.

4. The Commission finds the proposal incomplete insofar as specific and legitimate reasons for the amendment were not adequately identified.

#### **ANNUAL MEETING:**

21. TPZ election of officers, selection of committee representatives, and approval of rules and regulations.

At its annual meeting on Monday, February 6, 2017, the West Hartford Town Plan and Zoning Commission unanimously elected officers and made committee liaison appointments as follows:

- a. Chairman: **Kevin Ahern**
- b. Vice-Chairman: **Kevin Prestage**
- c. Secretary: **Todd Dumais**
- d. Town Council Community Planning and Physical Services Committee:  
TPZ Liaison: **Kevin Prestage**  
Alternate: **Liz Gillette**
- e. Capitol Region Council of Governments:  
TPZ Liaison: **James Akin**  
Alternate: **Michele Maresca**
- f. Conservation and Environment Commission:  
TPZ Liaison: **Gordon Binkhorst**  
Alternate: **John Martin O'Donnell**

#### **TOWN PLANNER'S REPORT:**

#### **INFORMATION ITEMS:**

#### **REMINDER OF FUTURE TPZ REGULAR AND SPECIAL MEETINGS:**

- TPZ Regular Meeting, Monday, March 6, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, April 3, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday May 1, 2017 @ 7:00 P.M.

*“Any individual with a disability who needs special assistance to participate in the meeting should contact Social Services Department, 860.561.7561, five days prior to the meeting.”*

U: shareddocs/TPZ/Agenda//2016/February 6 final minutes